

AMENDED IN SENATE JUNE 20, 2005

AMENDED IN ASSEMBLY MAY 10, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 707

Introduced by Assembly Member Hancock

February 17, 2005

An act to add Section ~~49605~~ to the Education Code 10296.5 to the Public Contract Code, relating to ~~pupil counseling~~ state contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 707, as amended, Hancock. ~~Pupil counseling: academic and career exploration plan. State contracts: disclosures.~~

Existing law establishes various requirements applicable to entities that contract with the state.

This bill would require contractors, as defined, and their agents and consultants, who enter into specified contracts with state agencies, as defined, to publicly disclose to the Secretary of State certain communications with the state agency during the one-year period preceding the award of the contract, and would impose a specified civil penalty for failure to comply with the bill's provisions.

~~Existing law authorizes the governing board of any school district to provide a comprehensive educational counseling program for all pupils enrolled in the schools of the district.~~

~~This bill would authorize a school district to provide a pupil with an academic and career exploration plan prior to the completion of grade 9. The bill would require the plan to include a sequence consisting of academic courses that satisfy state and school district requirements and standards for entry into postsecondary education, as specified, a sequence consisting of courses or career exploration activities that~~

~~provide an awareness of career opportunities or training for entry into the work world following graduation from high school, and participation in certain specified academics and programs that focus on career exploration or career and technical education, or both.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10296.5 is added to the Public Contract
2 Code, to read:
3 10296.5. (a) For purposes of this section, the following terms
4 have the following meanings:
5 (1) "Communication" means any meeting, conversation,
6 correspondence, or conveyance of information relating to the
7 subject matter of the contract.
8 (2) "Contract" includes contracts with a cumulative amount
9 of one million dollars (\$1,000,000) per contractor in each fiscal
10 year.
11 (3) "Contractor" means a person or entity that enters into a
12 contract with any state agency for the acquisition of goods or
13 services in the amount of one million dollars (\$1,000,000) or
14 more.
15 (4) "State agency" means any state office, department,
16 division, bureau, board, agency, or commission and any officer,
17 appointee, employee, consultant, or elected official acting on
18 behalf of any state office, department, division, bureau, board,
19 agency, or commission.
20 (b) Every contractor, agent of a contractor, or consultant
21 acting on behalf of a contractor, within 30 days after signing a
22 contract with a state agency, shall make a public disclosure of
23 any communication the contractor, agent, or consultant had with
24 the state agency during the one-year period preceding the award
25 of the contract.
26 (c) The disclosure required by subdivision (b) shall be made to
27 the Secretary of State and shall include, but not be limited to, all
28 of the following:
29 (1) The dates and locations of the communication.
30 (2) The names and titles of all parties to the communication.

1 (3) *A brief description of the communication or, when a claim*
2 *of privilege is being asserted to avoid disclosure of all or part of*
3 *the communication, a complete description of all facts supporting*
4 *the claim of privilege.*

5 (d) *Every contractor, agent of a contractor, or consultant*
6 *acting on behalf of a contractor who fails to comply with the*
7 *requirements of this section is subject to a civil penalty of five*
8 *thousand dollars (\$5,000).*

9 (e) *The Secretary of State may adopt regulations and provide*
10 *forms as may be necessary to implement this section.*

11 (f) *This section applies both to contracts awarded through*
12 *competitive bidding and those that are not subject to competitive*
13 *bidding.*

14 ~~SECTION 1. Section 49605 is added to the Education Code,~~
15 ~~to read:~~

16 ~~49605. (a) (1) The Legislature finds and declares all of the~~
17 ~~following:~~

18 ~~(A) All pupils enrolled in a secondary education program~~
19 ~~should achieve the mastery of high-level skills and knowledge in~~
20 ~~order to become productive members of society.~~

21 ~~(B) All pupils should have opportunities to explore various~~
22 ~~career interests and obtain career and technical training prior to~~
23 ~~graduation from high school in order to make informed decisions~~
24 ~~regarding future education and entry into the work world.~~

25 ~~(C) School districts throughout the state should take additional~~
26 ~~steps to ensure that all pupils and their parents or guardians~~
27 ~~receive adequate assistance and guidance to achieve these goals.~~

28 ~~(2) It is the intent of the Legislature that all school districts~~
29 ~~maintaining a secondary education program assist entering high~~
30 ~~school pupils and their parents or guardians develop an academic~~
31 ~~and career exploration plan.~~

32 ~~(b) A school district may provide an individualized academic~~
33 ~~and career exploration plan for pupils prior to completion of~~
34 ~~grade 9. The plan shall be developed by the pupil, the parent or~~
35 ~~guardian of the pupil, and a school counselor possessing a valid~~
36 ~~credential with a specialization in pupil personnel services who is~~
37 ~~assigned specific times to directly counsel pupils, and shall be~~
38 ~~reviewed annually thereafter. The review of the plan shall~~
39 ~~include a consideration of the pupil's academic and career~~
40 ~~exploration or vocational educational progress, and any desired~~

1 ~~changes for the following school year. The plan shall include all~~
2 ~~of the following:~~

3 ~~(1) A sequence consisting of academic courses that satisfy~~
4 ~~state and school district requirements, and standards for entry~~
5 ~~into postsecondary education, including entry to the California~~
6 ~~State University and the University of California.~~

7 ~~(2) A sequence consisting of courses or career exploration~~
8 ~~activities designed to provide an awareness of career~~
9 ~~opportunities, or training for entry into the work world~~
10 ~~subsequent to graduation from high school, or both.~~

11 ~~(3) Participation in small learning communities, academies,~~
12 ~~partnership academies, career and technical training programs,~~
13 ~~work experience programs, and other programs that focus on~~
14 ~~career exploration or career and technical education, or both.~~
15 ~~This training shall be described by the plan and may satisfy~~
16 ~~paragraph (2).~~